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SUBJECT: PUBLISHER RAUL FIGUEROA REQUESTS EMBASSY STAY  
ABREAST OF HIS CASE

¶1. (U) Pol/Econ Counselor and Pol Assistant met August 12 with Raul Figueroa, a Guatemalan national journalist and publisher whose work has focused on exposing abuses by Guatemala's previous military governments and other human rights topics at Lehman College (New York). Figueroa's wife, AmCit Victoria Sanford, is a professor and human rights activist who is requesting that the Embassy and Members of Congress take up his case. Photographer Mardo Escobar sued Figueroa for failing to pay verbally agreed royalties for the use of one of Escobar's photographs on the cover of a book Figueroa published, "Any Way to Die," by Rafael Menjivar. A first instance penal court sentenced Figueroa to one year imprisonment for intellectual property rights infringement. Figueroa is appealing his conviction, and has been prohibited from leaving the country until his case is resolved.

¶2. (U) During the meeting, Figueroa speculated that the disproportionate sentence he received may have been politically motivated, and specifically may have been in retribution for his wife's "human rights accompaniment" of Jorge Velasquez, whose daughter was allegedly murdered in ¶2006. He also allowed that Escobar, who also works as a judicial clerk, may have manipulated the judicial process as part of a personal vendetta. Figueroa acknowledged that there was no particular USG interest at stake in his case, and said he wanted the Embassy only to be aware of developments. He explicitly stated that he was not requesting the USG to intervene with the judiciary on his behalf. He also acknowledged that he did not pay Escobar for the photograph, but instead gave him five copies of the book in question, which he (Figueroa) felt was fair compensation.

¶3. (SBU) Pol/Econ Counselor separately asked leading human rights activist Helen Mack whether she was following Figueroa's case. Mack said she was aware of the case but not actively following it, since it appeared to be a personal and contractual matter, rather than a possible human rights abuse case.

¶4. (SBU) Comment: Embassy is providing this background in case Dr. Sanford or Members of Congress should approach the Department about Mr. Figueroa's ongoing legal case. In fact, The Embassy has already received a letter from Congressman James P. McGovern of Massachusetts regarding this matter. Figueroa himself is not seeking USG assistance or intervention at this time.  
McFarland